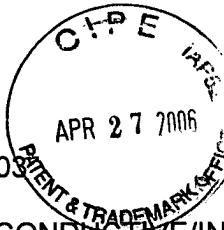


FF
PATENT

Atty. Docket No.: 2938(203-3646)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicant(s): Shields et al.

Examiner: Aaron F. Roane

Serial No.: 10/718,379

Group: Art Unit 3739

Filed: November 20, 2003

Dated: April 24, 2006

For: ELECTRICALLY CONDUCTIVE/INSULATIVE OVER SHOE
FOR TISSUE FUSION

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL FORM

Sir:

Transmitted herewith is an amendment in the above-identified application.

Small entity status of this application under 37 C.F.R. § 1.9 and 1.27 has been established by a verified statement previously submitted.

A verified statement to establish small entity under 37 C.F.R. § 1.9 and 1.27 is enclosed.

No additional fee is required.

The fee has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY	OTHER THAN SMALL ENTITY
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE FEE	ADDIT. OR RATE FEE
TOTAL	27*	MINUS 27**	=	X 25 \$	X 50 \$ 0
INDEP.	4*	MINUS 4**	=	X 100 \$	X 200 \$ 0
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				X 180 \$	X 360 \$ 0
				<u>TOTAL ADDIT. FEE</u> \$ <u>-0-</u>	<u>OR TOTAL</u> \$ 0

* If the entry in Co. 1 is less than entry in Col. 2, write "0" in Col. 3.

** If the "Highest No. Previously Paid for" IN THIS SPACE is less than 20, enter "20".

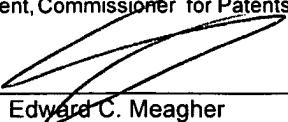
*** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The Highest No. Previously Paid For" (Total or indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on date below.

Dated: April 24, 2006

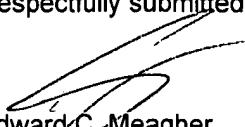

Edward C. Meagher

Please charge Deposit Account No. 21-0550 in the amount of \$_____. Two (2) copies of this sheet are enclosed.

A check in the amount of \$____ is enclosed.

Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. § 1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account No. 21-0550. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. 21-0550 therefor. TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.

Respectfully submitted,

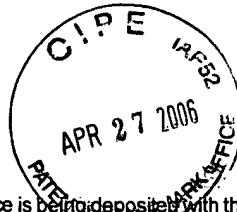


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Reg. No. 41,189
Attorney for Applicant(s)

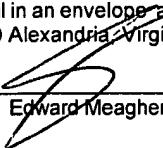
Carter, DeLuca, Farrell & Schmidt, LLP
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ECM/gm

CERTIFICATE OF MAILING



I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450 Alexandria Virginia 22313-1450 on April 24, 2006.

By:  Date: April 24, 2006
Edward Meagher

PATENT

Docket No. 2938(203-3646)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : SHIELDS ET AL.
TITLE : ELECTRICALLY CONDUCTIVE/INSULATIVE OVER SHOE
FOR TISSUE FUSION
SERIAL NO. : 10/718,379
FILED : November 20, 2003
EXAMINER : AARON F. ROANE
ART UNIT : 3739

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

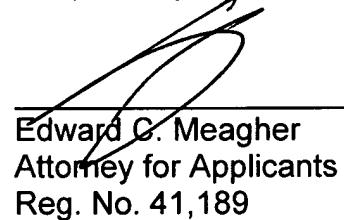
Dear Sir:

In response to the Restriction Requirement dated March 27, 2006 and pursuant to the telephone conversation with Examiner Roane at the PTO and for the purposes of electing claims for prosecution purposes, Applicants provisionally elect claims 1, 2, 7, 10, 17 and 19-22 without traverse which relate to the species disclosed in FIGS. 3, 4, 16, 17, 18a, 18b, 18c and 18d of Applicants' invention. Applicants respectfully wish to point out that contrary to the Examiner's original indication, claims 1, 2, 7, 17 and 19-22 are

believed to be generic to all the species and subspecies noted by the Examiner. Claim 10 is not generic and relates to the specific embodiment illustrated in FIGS. 3, 4, 16, 17, 18a, 18b, 18c and 18d.

In view of the foregoing, it is now believed that an examination on the merits of the application is in order. Such action at an early date is earnestly solicited.

Respectfully submitted,



Edward C. Meagher
Attorney for Applicants
Reg. No. 41,189

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